LEGISLATURE OF THE STATE OF IDAHO

Sixty-first Legislature

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18 19 Second Regular Session - 2012

FOR

IN THE SENATE

SENATE BILL NO. 1389

BY FINANCE COMMITTEE

AN ACT 1 APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR 2 FISCAL YEAR 2012; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER 3 RESOURCES FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED 4 FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COM-5 PENSATION AND BENEFITS; APPROPRIATING AND TRANSFERRING MONEYS; PROVID-6 ING LEGISLATIVE INTENT WITH REGARD TO CERTAIN WATER RIGHT FILING FEES; 7 AND DECLARING AN EMERGENCY. 8

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. In addition to the appropriation made in Section 3, Chapter 238, Laws of 2011, and any other appropriation provided for by law, there is hereby appropriated \$25,000 from the General Fund to the Department of Water Resources for the Management and Support Services Program, to be expended for personnel costs, for the period July 1,2011, through June 30, 2012.

SECTION 2. There is hereby appropriated to the Department of Water Resources, the following amounts to be expended according to the designated programs and expense classes, from the listed funds for the period July 1, 2012, through June 30, 2013:

19					FOR	
20		FOR	FOR	FOR	TRUSTEE AND	
21		PERSONNEL	OPERATING	CAPITAL	BENEFIT	
22		COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL
23	I. MANAGEMENT AND SU	PPORT SERVICES	:			
24	FROM:					
25	General					
26	Fund	\$818,500	\$668,800	\$50,000		\$1,537,300
27	Indirect Cost Recove	ry				
28	Fund	308,900	142,000			450,900
29	Water Administration	1				
30	Fund	43,500	21,900			65,400
31	Miscellaneous Revenu	ıe				
32	Fund	0	138,100	<u>0</u>		<u>138,100</u>
33	TOTAL	\$1,170,900	\$970,800	\$50 , 000		\$2,191,700

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2		FOR	FOR	FOR	TRUSTEE AND		
3		PERSONNEL	OPERATING	CAPITAL	BENEFIT		
4		COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL	
5	II. PLANNING AND TECH	HNICAL SERVICES	S:				
6	FROM:						
7	General						
8	Fund	\$2,120,600	\$582,400		\$554,000	\$3,257,000	
9	Indirect Cost Recove		, ,		, ,	, , _ , , , , , , , , , , , , , , , , ,	
10	Fund	66,700	12,700			79,400	
11	Aquifer Planning and	Aquifer Planning and Management					
12	Fund	372 , 900	2,384,500			2,757,400	
13	Miscellaneous Revenu						
14	Fund		165,000			165,000	
15	Federal Grant						
16	Fund	487,800	2,288,400		0	2,776,200	
17	TOTAL	\$3,048,000	\$5,433,000		\$554 , 000	\$9,035,000	
18	III. WATER MANAGEMEN	T:					
19	FROM:						
20	General						
21	Fund	\$3,896,100	\$1,950,200	\$80,800		\$5,927,100	
22	Indirect Cost Recove	ry					
23	Fund	52,800	4,800			57 , 600	
24	Water Administration	n					
25	Fund	1,058,100	218,900			1,277,000	
26	Miscellaneous Revenu	ie					
27	Fund	672,300	246,800			919,100	
28	Federal Grant						
29	Fund	<u>492,800</u>	<u>312,100</u>	<u>0</u>		804,900	
30	TOTAL	\$6,172,100	\$2,732,800	\$80,800		\$8,985,700	
31	IV. NORTHERN IDAHO ADJUDICATION:						
32	FROM:						
33	General						
34	Fund	\$222,000	\$158,100			\$380,100	

1					FOR	
2		FOR	FOR	FOR	TRUSTEE AND	
3		PERSONNEL	OPERATING	CAPITAL	BENEFIT	
4		COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL
5	Northern Idaho Ad	judication				
6	Fund	70,900	35,000			105,900
7	TOTAL	\$292,900	\$193,100			\$486,000
8	GRAND TOTAL	\$10,683,900	\$9,329,700	\$130,800	\$554,000	\$20,698,400

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41 42 SECTION 3. FTP AUTHORIZATION. In accordance with Section 67-3519, Idaho Code, the Department of Water Resources is authorized no more than one hundred fifty-nine (159) full-time equivalent positions at any point during the period July 1, 2012, through June 30, 2013, unless specifically authorized by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of any increased positions so authorized.

SECTION 4. EMPLOYEE COMPENSATION AND BENEFITS. The Legislature recognizes and thanks all state workers for their dedication, professionalism and for the personal sacrifices they make every day in the performance of their duties to serve our citizens. In accordance with the provisions of Section 67-5309C, Idaho Code, the Legislature supports the Governor's recommendation in not making changes in annual salaries and benefits for state employees based upon labor markets or specific occupational inequities; directs agencies and institutions that have excess personnel cost appropriations or salary savings due to turnover to use such funding for a merit increase component, notwithstanding the provisions of Section 67-5309B(4), Idaho Code, to recognize and reward permanent and temporary state employees; and does provide funding to agencies and institutions to provide a two percent (2%) pay increase for all classified and nonclassified permanent performing employees. Performing employees shall be all permanent employees, including adjunct faculty at colleges and universities, who have been rated as "achieves" or better on a performance plan if required by Division of Human Resources rule, including probationary permanent employees making satisfactory progress. The Legislature supports the Governor's recommendation to fund increases in the cost of health insurance benefits and directs the director of the Department of Administration, as the administrator of the state insurance plan, to maintain the current benefit package to the extent possible, which may require a cost sharing on the part of employees for the increased cost of the health insurance plan.

SECTION 5. There is hereby appropriated to the Department of Water Resources and the State Controller shall transfer \$1,232,000 from the Revolving Development Fund to the Secondary Aquifer Planning, Management, and Implementation Fund, on July 1, 2012, or as soon thereafter as practicable, for the period July 1, 2012, through June 30, 2013.

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SECTION 6. LEGISLATIVE INTENT. Notwithstanding Section 42-1414(1)(c), Idaho Code, it is the intent of the Legislature that moneys appropriated in Section 2 of this act, for the Northern Idaho Adjudication Program from the General Fund, count toward the filing fees required under Section 42-1414(1)(a) and Section 42-1414(1)(b), Idaho Code, for water right claims filed in the Northern Idaho Adjudication by the Idaho Water Resource Board and the Governor of the State of Idaho based on instream flow, public lake level maintenance or recreation. If the General Fund appropriation exceeds the amount required for the Idaho Water Resource Board's and the Governor's filing fees in the current fiscal year, the excess shall be counted toward future filing fees required for those same purposes. If the General Fund appropriation does not meet or exceed the fee required for claims of the Idaho Water Resource Board or the Governor of the State of Idaho, the Director of the Department of Water Resources shall grant an extension of time to the Idaho Water Resource Board or the Governor of the State of Idaho to file the claim, and the General Fund appropriation for the following fiscal year shall be counted toward the balance of the filing fee.

SECTION 7. An emergency existing therefor, which emergency is hereby declared to exist, Section 1 of this act shall be in full force and effect on and after passage and approval.